

**The Rhode Island Fire Safety Code Board of Appeal & Review met in Conference Room 109 located at 260 West Exchange Street, Providence RI on Tuesday, October 24, 2006 at 1:00 P.M. Present were Chairman Coutu and Commissioners Blackburn, Richard, Preiss, Pearson, O'Connell and Filippi. Also present were Executive Director Thomas Coffey and Assistant Administrative Officer Carol Marsella. The following cases were heard.**

**APPEAL # 060855: Mr. Ken Mancuso, for the property located at One LaSalle Square, Providence. Chief Deputy R. Michael DiMascolo appeared for the State Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Blackburn, to approve the Applicant's 10-11-06 plan of action for the event to be held on November 15, 2006. The Applicant shall comply with any additional requirements of the State Fire Marshal's office, and any pyrotechnic displays shall be approved by that office. The motion passed over the objection of Commissioner Preiss.**

**APPEAL #030229: Mr. Nicholas G. Fazzano, for the property located at 259 Benefit Street, Providence. Lt. Richard Silva appeared for the Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner O'Connell, to grant the Applicant's requested relief on the basis of structural and/or historical hardship. The motion was unanimous.**

**APPEAL #050167B: Mr. Pat Cortellessa, for the property located at**

**93-95 Clemence Street, Providence. Lt. Richard Fournier and Lt. Richard Silva appeared for the Providence Fire Marshal's office. Although it was determined that Mr. Robert Rice is the business owner, he did not wish to be identified as the Applicant in this matter, and Mr. Cortellessa also did not wish to be identified as the Applicant in this matter. Therefore, the decision is void and this case is closed.**

**APPEAL #060628: Mr. Francisco Dos Santos, for the property located at 21 Chase Street in Cumberland. Chief Cimino appeared for the Cumberland Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Filippi, to grant the following relief. The Applicant is allowed to increase the occupancy of this facility up to 550 persons on special occasions, with prior notification of the event made to the AHJ. The applicant voluntarily agrees to install floor proximate exit signs and music shut-down capabilities in the function room. The motion was unanimous.**

**APPEAL #060835: F.J. Newman and Son, Inc., for the property located at 175 Mathewson Street in Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Richard, to grant the Applicant relief from the provisions of section 8.1.1 provided that he install protection, in the form of vegetation or fencing, in lieu of meeting the distance requirements, such protection to be installed at the direction and to the satisfaction of the Providence Fire Marshal's office. The motion**

**was unanimous.**

**APPEAL #010183A: London Bridge Child Care Center, for the property located at 146 Duke Street, East Greenwich. DSFM Bruce Quinn appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner O'Connell, to reinstate the previously granted variance from the provisions of section 17.2.4.1. The motion was unanimous.**

**APPEAL #050113: Mr. David Puleo, for the property located at 1187-1191 Westminster Street, Providence. ADSFM Michael Brown appeared for the Providence Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner O'Connell, to grant the following relief. The Applicant is granted a time variance of 24 hours from the date of the hearing in which to have a service technician inspect and begin repairs on the fire alarm system of this facility. The Applicant is granted a time variance of two (2) weeks from the hearing date in which to install compliant fire extinguishers and to bring the emergency lighting and exit signs into compliance, and also to order a Knox box. The fire alarm of this facility must be brought into full compliance and a testing and maintenance agreement for the fire alarm system must be maintained. The second and third floors of this facility are to be boarded up according to the provisions of the Building Code and must remain unoccupied. The Applicant testified that this facility will be demolished when the tenant's leases expire at the end of July, 2007, demolition to begin in**

**August of 2007. The motion was unanimous.**

**APPEAL #050156: Laurel Oaks, LLC, for the property located at 4115 Old Post Road, Charleston. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Blackburn, to grant the following relief. The Applicant is granted a time variance of 120 days in which to comply with the fire alarm provisions, repair any non-compliant exit signs, correct any locking mechanisms, re-swing doors, and treat interior finishes, at the direction and to the satisfaction of the State Fire Marshal's office. The Applicant is directed to remove the Styrofoam beams within 30 days from the hearing date. The Applicant is granted a variance from the provisions of section 7.2.2.3.5 and 7.2.2.3.6 on the basis of structural hardship. This file will remain open. The motion was unanimous.**

**APPEAL #060690: Mr. Alan Miller, for the property located at 898 Oakland Beach avenue, Warwick. ADSFM Arthur Lowe and ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner O'Connell made a motion, seconded by Commissioner Filippi, to allow the Applicant to correct the outstanding deficiencies to the best of his ability, and at the direction and to the satisfaction of the Warwick Fire Marshal's office, prior to re-occupancy of the second floor. The motion was unanimous.**

**APPEAL #060815: Ms. Lois Maraia, for the property located at 101**

**Richmond Street, Providence. Lt. Richard Silva and Lt. Richard Fournier appeared for the Providence Fire Marshal's office. It was determined that an on-site inspection of this facility should be conducted by a subcommittee of the Board. No action was taken at this time.**

**APPEAL #060846: Mr. Robert M. Stillings, for the property located at 15-17 Wilson Street, Providence. Commissioner Filippi made a motion, seconded by Commissioner Blackburn, that the Applicant correct any outstanding deficiencies prior to re-occupancy of this facility. The motion was unanimous.**

**Old Business: Commissioner O'Connell made a motion, seconded by Commissioner Richard, to approve the subcommittee recommendations of the October 18 hearing.**

**Old Business: Commissioner Blackburn made a motion, seconded by Commissioner Pearson, to approve the State Fire Marshal's requested blanket variance in the matter of interior finishes in assembly occupancies. The motion was unanimous.**

**Respectfully submitted,**

**Carol Marsella**

**Assistant Administrative Officer**